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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/717,503

11/21/2003

Ichio Yudasaka

117849

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01/12/2006

OLIFF & BERRIDGE, PLC  
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EXAMINER

QUACH, TUAN N

ART UNIT

PAPER NUMBER

2826

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### Period for Reply

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.  
 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 16-40 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-28 and 30-40 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Tuan Quach**  
**Primary Examiner**

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/20/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

Claim 29 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s). While this claim may arguably appear to have been intended to depend from independent claim 28, given the odd dependency as all remaining subsequent dependent claims depend from claim 28, claim 29 cannot be amended to depend from claim 28 since such would render the claim duplicate of claim 40. The cancellation of claim 29 would overcome the objection.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 16-28 and 30-40 are allowed. Claims 16-27 are allowed primarily because the prior art of record does not teach the claimed invention as claimed in claim 16, particularly with regard to the claimed limitations concerning a first insulating film formed over a backing insulating layer, the first insulating film separating the source portion and the drain portion, a semiconductor layer formed on at least a part of the source portion, at least a part of the drain portion, and at least a part of the first insulating film, taken in the context of the remaining structures regarding the backing insulating layer on the substrate, the source portion and the drain portion formed

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thereover, and the formation of the gate insulating layer on the semiconductor layer and the gate electrode over the gate insulating layer. Claims 28 and 30-40 are allowed because the prior art of record does not teach the claimed invention as claimed in claim 2816, particularly with regard to the claimed limitations concerning a first insulating film formed over an insulating substrate, the first insulating film separating the source portion and the drain portion, a semiconductor layer formed on at least a part of the source portion, at least a part of the drain portion, and at least a part of the first insulating film, taken in the context of the remaining structures regarding the insulating substrate, the source portion and the drain portion formed thereover, and the formation of the gate insulating layer on the semiconductor layer and the gate electrode over the gate insulating layer. The newly cited prior art further does not teach all the claimed limitations delineated. In particular, regarding the prior art submitted in the Information Disclosure Statement, namely JP 6-1044439 and KR 2000-004705, there does not appear to be motivation to combine to arrive at all the limitations of the claimed inventions as delineated above. The prior art newly cited to Yu 6,420,218, Deane et al. 6,545,319, and Wu et al. 2004/0075124 made of record also do not teach the claimed inventions delineated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tuan Quach whose telephone number is 571-272-1717. The examiner can normally be reached on M-F from 8:30 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Nathan Flynn, can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tuan Quach  
Primary Examiner